

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

A request for a two month extension of the period for response to the office action mailed on December 18, 2006 is enclosed. The extended period for response expires on May 18, 2007.

Claim Status

Claims 1-26 were presented. Claim 1 is amended. Claims 6-8 and 14-22, which are withdrawn from consideration as drawn to a non-elected invention, are canceled without prejudice. Claim 24, which is incorporated into claim 1, is also canceled without prejudice. Claims 1-5, 9-13, 23, 25 and 26 are now pending.

Allowable Subject Matter

Claim 24, which depends directly from claim 1, is indicated as allowable if rewritten in independent form. Accordingly, claim 1 is rewritten to include all limitations of claim 24, and claim 24 is canceled without prejudice. Claims 2-5, 9-13, 23, 25 and 26 depend from claim 1. Thus, claims 1-5, 9-13, 23, 25 and 26 are now in condition for allowance.

Claim Rejections – 35 USC 103(a)

Claims 1-5, 9, 10, 12, 23, 25 and 26 are rejected under 35 USC 103(a) as obvious over Yamamoto (US 6,078,70) in view of Lange ("High Gain Short Length Phosphate Glass Erbium-Doped Fiber Amplifier Material"). Claim 11 is rejected as obvious over Yamamoto in view of Lange and Han (US 2004/0076813). Claim 13 is rejected as obvious over Yamamoto in view of Lange and Harchanko (US 2005/0147925).

As discussed above, claim 1 is amended to include the allowable subject matter of claim 24, thus rendering these grounds for rejection moot. The rejections under 35 USC 103 should be withdrawn.

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Reply to Office Action of December 18, 2006


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Conclusion

This application is now in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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